

Customer No.: 07278

Docket No.: 1191/1F734



**DECLARATION
AND POWER OF ATTORNEY
Original Application**

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below, of the invention entitled:

Process for Removing Systematic Error and Outlier Data and for Estimating Random Error in Chemical and Biological Assays

which is described and claimed in:

☐ the attached specification or ☒ the specification in application Serial No. 10/021,734,
filed November 8, 2001
(for declaration not accompanying appl.)

that I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to patentability in accordance with 37 CFR §1.56. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I hereby claim the priority benefits under 35 U.S.C. §119 of any application(s) for patent or inventor's certificate listed below. All foreign applications for patent or inventor's certificate on this invention filed by me or my legal representatives or assigns prior to the application(s) of which priority is claimed are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

| <u>COUNTRY</u> | <u>APPLICATION NO.</u> | <u>DATE OF FILING</u> |
|----------------|------------------------|-----------------------|
| US | 60/139,639 | June 17, 1999 |
| US | 60/155,173 | September 21, 1999 |

**ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED**

| <u>COUNTRY</u> | <u>APPLICATION NO.</u> | <u>DATE OF FILING</u> |
|----------------|------------------------|-----------------------|
|----------------|------------------------|-----------------------|

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon D. Coplein #19,165, Michael J. Sweedler #19,937, S. Peter Ludwig #25,351, Paul Fields #20,298, Marc S. Gross #19,614, Joseph B. Lerch #26,936, Melvin C. Garner #26,272, Ethan Horwitz #27,646, Adda C. Gogoris #29,714, Bert J. Lewen #19,407, Henry Sternberg #22,408, Peter C. Schechter #31,662, Robert Schaffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Scott G. Lindvall #40,325, Paul F. Fehlner, Ph.D. #35,135, David Leason #36,195

all of the firm of DARBY & DARBY P.C., 805 Third Avenue, New York, NY 10022

SEND CORRESPONDENCE TO:

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022

DIRECT TELEPHONE CALLS TO:

Joseph B. Lerch
212-527-7700

FULL NAME AND RESIDENCE OF INVENTOR 1

LAST NAME: RAMM FIRST NAME: Peter

MIDDLE NAME:

CITY: St. Catharines

STATE OR FOREIGN COUNTRY:
Canada

COUNTRY OF CITIZENSHIP: Canada

POST OFFICE ADDRESS: 290 Riverview Boulevard

CITY: St. Catharines

STATE OR COUNTRY: Ontario, Canada

ZIP CODE: L2T 3N4

FULL NAME AND RESIDENCE OF INVENTOR 2

LAST NAME: NADON FIRST NAME: Robert MIDDLE NAME:

CITY: St. Catharines STATE OR FOREIGN COUNTRY: Canada

COUNTRY OF CITIZENSHIP: Canada

POST OFFICE ADDRESS: 35 South Drive

CITY: St. Catharines

STATE OR COUNTRY: Ontario, Canada

ZIP CODE: L2R 4T9

FULL NAME AND RESIDENCE OF INVENTOR 3

LAST NAME: SHI FIRST NAME: Peide

MIDDLE NAME:

CITY: North York

STATE OR FOREIGN COUNTRY:
Canada

COUNTRY OF CITIZENSHIP: Canada

POST OFFICE ADDRESS: 44 Boneset Road

CITY: North York

STATE OR COUNTRY: Ontario, Canada

ZIP CODE: M2J 4X4

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 1: [Signature] DATED: Dec. 10, 2001

SIGNATURE OF INVENTOR 2: [Signature] DATED: Dec 10, 2001

SIGNATURE OF INVENTOR 3: [Signature] DATED: Dec. 3, 2001